

**CLIFTON BUDD & DeMARIA, LLP**  
ATTORNEYS AT LAW

THE EMPIRE STATE BUILDING  
350 FIFTH AVENUE, 61ST FLOOR  
NEW YORK, NY 10118

TEL 212.687.7410  
FAX 212.687.3285  
WWW.CBDM.COM

March 27, 2020

**VIA ECF**

Hon. Mary Kay Vyskocil  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

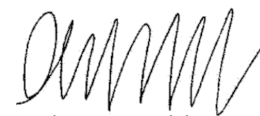
**Re: *Smith v. BRP Development Corp, et al.***  
**Civil Action No.: 19-cv-11794 (MKV)(BCM)**

Dear Judge Vyskocil:

This law firm represents BRP Development Corporation (“BRP”). I write with Plaintiff’s counsel’s consent to request leave to file an answer *nunc pro tunc* by April 1, 2020. I make this request because, although Smith ostensibly served BRP via Secretary of State, BRP cannot confirm that it actually received papers from Albany. BRP received notice informally, through co-defendant United DBT Security Corp, of the status of this action. Upon receiving notice, BRP promptly retained this firm. Insofar as discovery has not yet commenced, BRP’s appearance at this juncture will cause no prejudice to the other parties. And BRP has valid defenses, including, *inter alia*, that BRP is not Plaintiff’s employer. This is BRP’s first such request and shall affect no other scheduled dates or deadlines.

Thank you for your consideration.

Very truly yours,



Arthur J. Robb

Cc: Counsel for all parties (via ECF)